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EXAMINER	
DEAN, RAYMOND S	

ART UNIT	PAPER NUMBER
2684	

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/825,198	KANAMALURU ET AL.	
	Examiner	Art Unit	
	Raymond S Dean	2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 September 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 - 20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 - 20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *0703*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1 – 4, 8 – 9, and 12 - 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimomura et al. (US 6,526,580 B2) in view of Nakatsuyama (US 6,658,231 B2) and in further view of Malmgren (US 6,314,082).

Regarding Claim 1, Shimomura teaches a method of distributing information to a user comprising: a plurality of heterogeneous broadcast networks (Column 4 lines 15 – 22), receiving the broadcast information in the user device from at least one broadcast network (Column 4 lines 23 – 35), and filtering, within the user device, said broadcast information to generate user specific information (Column 4 lines 23 – 35, the receiver uses preprogrammed interest parameters to filter out the data that the user is not interested in).

Shimomura does not teach storing collected information in an information database and transmitting some of the collected information as broadcast information.

Nakatsuyama teaches storing collected information in an information database and transmitting some of the collected information as broadcast information (Figure 1,

Column 3 lines 62 – 67, Column 4 lines 1 – 45, Column 5 lines 64 – 67, Column 6 lines 1 – 11, the information to be transmitted is pre-selected based on the user's preferences thus only the information that is of interest to the user will be broadcast).

Shimomura and Nakatsuyama both teach a wireless broadcast system that provides digital content tailored to a user's personal preferences thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the above method taught in Nakatsuyama in the wireless broadcast system of Shimomura for the purpose of allowing each end user to receive content that is tailored to the individual preference of each said end user.

Shimomura in view of Nakatsuyama does not teach selecting, at a user device, at least one broadcast network from the plurality of heterogeneous broadcast networks.

Malmgren teaches selecting, at a device, at least one broadcast network from the plurality of broadcast networks (Column 3 lines 30 – 38, Column 7 lines 3 – 11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the broadcast network selection method taught by Malmgren in the user device of Shimomura in view of Nakatsuyama for the purpose of selecting a broadcast network that will provide optimal signal quality for a particular connection as taught by Malmgren.

Regarding Claim 2, Shimomura in view of Nakatsuyama and in further view of Malmgren teaches all of the claimed limitations recited in Claim 1. Nakatsuyama further teaches transmitting some of the collected information in accordance with predetermined criteria to generate a subset of the collected information (Figure 1,

Column 3 lines 62 – 67, Column 4 lines 1 – 45, Column 5 lines 64 – 67, Column 6 lines 1 – 11, the information to be transmitted is pre-selected based on the user's preferences thus only the information that is of interest to the user, which is a subset of all of the information, will be broadcast).

Regarding Claim 3, Shimomura in view of Nakatsuyama and in further view of Malmgren teaches all of the claimed limitations recited in Claim 2. Nakatsuyama further teaches collecting the collected information from an information network that comprises one or more networks selected from a group consisting of a voice network, a video network, and a data network (Column 4 lines 24 – 30, the financial news, sports scores, and information available through the internet is digitized data that comes from a data network).

Regarding Claim 4, Shimomura in view of Nakatsuyama and in further view of Malmgren teaches all of the claimed limitations recited in Claim 1. Shimomura further teaches inserting said broadcast information into a digital television signal and broadcasting said digital television signal (Column 4 lines 15 – 20).

Regarding Claim 8, Shimomura in view of Nakatsuyama and in further view of Malmgren teaches all of the claimed limitations recited in Claim 1. Shimomura further teaches determining an information preference of the user and generating said user-specific information based on said information preference (Column 4 lines 23 – 35, the receiver uses preprogrammed interest parameters to filter out the data that the user is not interested in).

Regarding Claim 9, Shimomura in view of Nakatsuyama and in further view of Malmgren teaches all of the claimed limitations recited in Claim 8. Shimomura further teaches wherein said information preference is pre-defined by the user (Column 4 lines 31 – 35).

Regarding Claim 12, Shimomura teaches a system for distributing information to a user comprising: a plurality of heterogeneous broadcast networks (Column 4 lines 15 – 22), a user device for receiving the broadcast information from at least one broadcast network (Column 4 lines 23 – 35), the user device having a user filter for filtering the broadcast information and generating user specific information (Column 4 lines 23 – 35, the receiver uses preprogrammed interest parameters to filter out the data that the user is not interested in).

Shimomura does not teach a database for storing information collected from an information network as collected information and transmitting at least some of the collected information as broadcast information.

Nakatsuyama teaches a database for storing information collected from an information network as collected information and transmitting at least some of the collected information as broadcast information (Figure 1, Column 3 lines 62 – 67, Column 4 lines 1 – 45, Column 5 lines 64 – 67, Column 6 lines 1 – 11, the information to be transmitted is pre-selected based on the user's preferences thus only the information that is of interest to the user will be broadcast).

Shimomura and Nakatsuyama both teach a wireless broadcast system that provides digital content tailored to a user's personal preferences thus it would have

been obvious to one of ordinary skill in the art at the time the invention was made to use the database and above method taught in Nakatsuyama in the wireless broadcast system of Shimomura for the purpose of allowing each end user to receive content that is tailored to the individual preference of each said end user.

Shimomura in view of Nakatsuyama does not teach a user device for selecting at least one network of the plurality of heterogeneous broadcast networks.

Malmgren teaches a device for selecting at least one network of the plurality of broadcast networks (Column 3 lines 30 – 38, Column 7 lines 3 – 11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the broadcast network selection method taught by Malmgren in the user device of Shimomura in view of Nakatsuyama for the purpose of selecting a broadcast network that will provide optimal signal quality for a particular connection as taught by Malmgren.

Regarding Claim 13, Shimomura in view of Nakatsuyama and in further view of Malmgren teaches all of the claimed limitations recited in Claim 12. Nakatsuyama further teaches an information provider filter for generating a subset of the collected information that is in accordance with a predetermined or heuristically learned criteria for transmission as the broadcast information (Figure 1, Column 3 lines 62 – 67, Column 4 lines 1 – 45, Column 5 lines 64 – 67, Column 6 lines 1 – 11, the information to be transmitted is pre-selected based on the user's preferences thus only the information that is of interest to the user, which is a subset of all of the information, will be broadcast).

Regarding Claim 14, Shimomura in view of Nakatsuyama and in further view of Malmgren teaches all of the claimed limitations recited in Claim 13. Nakatsuyama further teaches an information network that comprises one or more networks selected from a group consisting of a voice network, a video network, and a data network (Column 4 lines 24 – 30, the financial news, sports scores, and information available through the internet is digitized data that comes from a data network).

Regarding Claim 15, Shimomura in view of Nakatsuyama and in further view of Malmgren teaches all of the claimed limitations recited in Claim 12. Shimomura further teaches a broadcast digital television network (Column 4 lines 15 – 20).

3. Claims 5 – 6, 10 – 11, and 16 - 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimomura et al. (US 6,526,580 B2) in view of Nakatsuyama (US 6,658,231 B2) in further view of Malmgren (US 6,314,082) as applied to Claims 1, 8, 12 above, and further in view of Dowling et al. (US 6,522,875 B1).

Regarding Claim 5, Shimomura in view of Nakatsuyama and in further view of Malmgren teaches all of the claimed limitations recited in Claim 1. Shimomura in view of Nakatsuyama and in further view of Malmgren does not teach determining a location of the user and filtering said broadcast information based on said location.

Dowling teaches determining a location of the user and filtering said broadcast information based on said location (Column 4 lines 52 – 62).

Shimomura in view of Nakatsuyama in further view of Malmgren and Dowling teach a wireless broadcast system that broadcasts data packets of content to a mobile

subscriber and filtering said content based on said subscribers' personal preferences thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the above method taught in Dowling in the wireless broadcast system of Shimomura in view of Nakatsuyama and in further view of Malmgren for the purpose of enabling a mobile subscriber to have access to content tailored to the location and personal preference of said mobile subscriber.

Regarding Claim 6, Shimomura in view of Nakatsuyama in further view of Malmgren and in further view of Dowling teaches all of the claimed limitations recited in Claim 5. Dowling further teaches said location of the user is determined by a global positioning system (GPS) (Column 4 lines 52 – 62).

Regarding Claim 10, Shimomura in view of Nakatsuyama and in further view of Malmgren teaches all of the claimed limitations recited in Claim 8. Shimomura in view of Nakatsuyama and in further view of Malmgren does not teach wherein said information preference is determined heuristically.

Dowling teaches an information preference that is determined heuristically (Column 9 lines 60 – 65, Column 10 lines 14 – 39, The user can input keywords or a URL through an input/output module, that is a part of the mobile unit, The mobile unit learns the user's preferences based on the previous information that the user entered into the input/output module and sets up a filter that is based on these learned preferences).

Shimomura in view of Nakatsuyama in further view of Malmgren and Dowling teach a wireless broadcast system that broadcasts data packets of content to a mobile

subscriber and filtering said content based on said subscribers' personal preferences thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the above method taught in Dowling in the wireless broadcast system of Shimomura in view of Nakatsuyama and in further view of Malmgren for the purpose of enabling a mobile subscriber to have access to content tailored to the location and personal preference of said mobile subscriber.

Regarding Claim 11, Shimomura in view of Nakatsuyama in further view of Malmgren and in further view of Dowling teaches all of the claimed limitations recited in Claim 5. Dowling further teaches determining a viewing direction of the user device, wherein said user-specific information corresponds to the viewing direction and location of the user device (Column 4 lines 52 – 62, Column 5 lines 3 – 7, Column 5 lines 15 – 18, in order for the best route to be determined the location of the mobile unit and direction in which mobile unit faces must be determined, therefore an inherent determination of the pointing direction is manifested).

Regarding Claim 16, Shimomura in view of Nakatsuyama and in further view of Malmgren teaches all of the claimed limitations recited in Claim 12. Shimomura in view of Nakatsuyama and in further view of Malmgren does not teach a personal preference filter for filtering said broadcast information in accordance with a user's personal preferences and a user location filter for filtering said broadcast information in accordance with a user's location.

Dowling teaches a personal preference filter for filtering said broadcast information in accordance with a user's personal preferences and a user location filter

for filtering said broadcast information in accordance with a user's location (Column 4 lines 12 – 18, Column 4 lines 52 – 62, the information preference of the user is determined based on a pre defined criterion and the corresponding information is transmitted to said user, in this case local restaurant information).

Shimomura in view of Nakatsuyama in further view of Malmgren and Dowling teach a wireless broadcast system that broadcasts data packets of content to a mobile subscriber and filtering said content based on said subscribers' personal preferences thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the filters and above method taught in Dowling in the wireless broadcast system of Shimomura in view of Nakatsuyama and in further view of Malmgren for the purpose of enabling a mobile subscriber to have access to content tailored to the location and personal preference of said mobile subscriber.

Regarding Claim 17, Shimomura in view of Nakatsuyama in further view of Malmgren and in further view of Dowling teaches all of the claimed limitations recited in Claim 16. Dowling further teaches wherein said user's personal preferences comprise pre-determined user preferences (Column 4 lines 12 - 18).

Regarding Claim 18, Shimomura in view of Nakatsuyama in further view of Malmgren and in further view of Dowling teaches all of the claimed limitations recited in Claim 16. Dowling further teaches wherein said user's personal preferences comprise heuristically determined user preferences (Column 9 lines 60 – 65, Column 10 lines 14 – 39, the user can input keywords or a URL through an input/output module, that is a part of the mobile unit, the mobile unit learns the user's preferences based on the

previous information that the user entered into the input/output module and sets up a filter that is based on these learned preferences).

Regarding Claim 19, Shimomura in view of Nakatsuyama in further view of Malmgren and in further view of Dowling teaches all of the claimed limitations recited in Claim 16. Dowling further teaches wherein said user's location is determined by a global positioning system (GPS) (Column 4 lines 52 – 62).

4. Claims 7 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimomura et al. (US 6,526,580 B2) in view of Nakatsuyama (US 6,658,231 B2) in further view of Malmgren (US 6,314,082) in further view Dowling et al. (US 6,522,875 B1), as applied to Claims 5, 16 above, and further in view of Moon (US 6,405,047 B1).

Regarding Claim 7, Shimomura in view of Nakatsuyama in further view of Malmgren and in further view of Dowling teaches all of the claimed limitations recited in Claim 5. Shimomura in view of Nakatsuyama in further view of Malmgren and in further view of Dowling does not teach a location of the user that is determined by a network of terrestrially based wireless stations.

Moon teaches a location of the user that is determined by a network of terrestrially based wireless stations (Figure 4, Column 4 lines 51 – 67, Column 5 lines 1 – 6).

Shimomura in view of Nakatsuyama in further view of Malmgren in further view of Dowling and Moon teach a mobile device that determines it's location thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to

make a design preference and use the above method taught in Moon in the system of Shimomura in view of Nakatsuyama in further view of Malmgren and in further view of Dowling as an alternative means for determining the location of said mobile device.

Regarding Claim 20, Shimomura in view of Nakatsuyama in further view of Malmgren and in further view of Dowling teaches all of the claimed limitations recited in Claim 16. Shimomura in view of Nakatsuyama in further view of Malmgren and in further view of Dowling does not teach said user's location being determined by a network of terrestrially based wireless stations.

Moon teaches said user's location being determined by a network of terrestrially based wireless stations (Figure 4, Column 4 lines 51 – 67, Column 5 lines 1 – 6).

Shimomura in view of Nakatsuyama in further view of Malmgren in further view of Dowling and Moon teach a mobile device that determines it's location thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to make a design preference and use the above method taught in Moon in the system of Shimomura in view of Nakatsuyama in further view of Malmgren and in further view of Dowling as an alternative means for determining the location of said mobile device.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond S Dean whose telephone number is 703-305-8998. The examiner can normally be reached on 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay A Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Raymond S. Dean
January 10, 2005

1/10/05

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